

Maine Revised Statutes
Title 33: PROPERTY
Chapter 7: CONVEYANCE OF REAL ESTATE

§173. REQUIRED DISCLOSURES

Unless the transaction is exempt under section 172, the seller of residential real property shall provide to the purchaser a property disclosure statement containing the following information: [1999, c. 476, §1 (NEW).]

1. Water supply system. The type of system used to supply water to the property. If the property has a private water supply, the seller shall disclose:

- A. The type of system; [1999, c. 476, §1 (NEW).]
- B. The location of the system; [1999, c. 476, §1 (NEW).]
- C. Any malfunctions of the system; [1999, c. 476, §1 (NEW).]
- D. The date of the most recent water test, if any; and [1999, c. 476, §1 (NEW).]
- E. Whether the seller has experienced a problem such as an unsatisfactory water test or a water test with notations; [1999, c. 476, §1 (NEW).]

[1999, c. 476, §1 (NEW) .]

2. Insulation.

[2005, c. 378, §29 (AFF); 2005, c. 378, §25 (RP) .]

2-A. Heating system or heating source. Detailed information on the system or source used to supply heat to the property, including:

- A. The type of heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- B. The age of the heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- C. The name of the company that services the heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- D. The date of the most recent service call on the heating system or source; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- E. The annual fuel consumption per heating system or source; and [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]
- F. Any malfunctions per heating system or source within the past 2 years; [2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF).]

[2005, c. 378, §26 (NEW); 2005, c. 378, §29 (AFF) .]

3. Waste disposal system. The type of waste disposal system used on the property. If the property has a private waste disposal system, the seller shall disclose:

- A. The type of system; [1999, c. 476, §1 (NEW).]
- B. The size and type of the tank; [1999, c. 476, §1 (NEW).]
- C. The location of the tank; [1999, c. 476, §1 (NEW).]

- D. Any malfunctions of the tank; [1999, c. 476, §1 (NEW).]
- E. The date of installation of the tank; [1999, c. 476, §1 (NEW).]
- F. The location of the leach field; [1999, c. 476, §1 (NEW).]
- G. Any malfunctions of the leach field; [1999, c. 476, §1 (NEW).]
- H. The date of installation of the leach field; [1999, c. 476, §1 (NEW).]
- I. The date of the most recent servicing of the system; [1999, c. 476, §1 (NEW).]
- J. The name of the contractor who services the system; and [1999, c. 476, §1 (NEW).]
- K. For systems within shoreland zones, disclosures on septic systems required by Title 30-A, section 4216; [1999, c. 476, §1 (NEW).]

[1999, c. 476, §1 (NEW) .]

4. Hazardous materials. The presence or prior removal of hazardous materials or elements on the residential real property, including, but not limited to:

- A. Asbestos; [1999, c. 476, §1 (NEW).]
- B. Lead-based paint for pre-1978 homes in accordance with federal regulations; [2011, c. 96, §5 (AMD) .]
- C. Radon; and [1999, c. 476, §1 (NEW).]
- D. Underground oil storage tanks as required under Title 38, section 563, subsection 6; and [1999, c. 476, §1 (NEW).]

[2011, c. 96, §5 (AMD) .]

5. Known defects. Any known defects.

[1999, c. 476, §1 (NEW) .]

SECTION HISTORY

1999, c. 476, §1 (NEW). 2005, c. 339, §3 (AMD). 2005, c. 378, §§25,26 (AMD). 2005, c. 378, §29 (AFF). 2011, c. 96, §5 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 127th Maine Legislature and is current through October 1, 2016. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.